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LANE NOMINATION

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

TO

CONSIDER THE NOMINATION OF JEFFREY LANE, TO BE AN ASSISTANT SECRETARY OF ENERGY, CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS

MARCH 17, 2010

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LANE NOMINATION

WEDNESDAY, MARCH 17, 2010

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 9:31 a.m. in room SD–366, Dirksen Senate Office Building, Hon. Jeff Bingaman, chairman, presiding.

OPENING STATEMENT OF HON. JEFF BINGAMAN, U.S. SENATOR FROM NEW MEXICO

The CHAIRMAN. Why don't we go ahead and get started.

The committee meets this morning to consider the nomination of Jeffrey Lane to be the Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.

Mr. Lane is no stranger here in the Senate. He served for many years as legislative director for Senator Sasser, administrative assistant to Senator Daschle, chief of staff, first to Senator Edwards, then to Senator Salazar, and most recently to Senator Bennet.

It is the job of the Assistant Secretary for Congressional and Intergovernmental Affairs to present the programs, policies, and initiatives of the Department of Energy to Congress, but also to relay our views and concerns back to the Department. So, we're fortunate to have Mr. Lane, who is somebody that can bring to that job more than 15 years' experience in senior staff positions in the Senate, who is very familiar with the ways of the Senate.

I strongly support his nomination, very pleased to welcome him to the committee.

I've been informed that Senator Murkowski is not likely to get here before we're required to stop for votes over on the floor. But, Senator Bennet is here to introduce Mr. Lane, and let me defer to Senator Bennet.

Thank you for being here.

STATEMENT OF HON. MICHAEL F. BENNET, U.S. SENATOR FROM COLORADO

Senator BENNET. Thank you, Mr. Chairman. Thank you for having me. I thank the ranking member, though she's not here, for holding this hearing with you.

I simply can't imagine a better person for this job than Jeff Lane. Jeff has served our government in a number of distinguished capacities. He will do well as President Obama's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.

As you said, Mr. Chairman, Jeff was my chief of staff. He provided me with invaluable service during my transition to the Senate, helping me build and manage a new staff. As a former chief of staff, myself, I know the challenges Jeff faced, although I've never had to work for somebody as difficult as me.

Particularly relevant to the committee, he had considerable experience with the Energy and Water Appropriations Subcommittee, and also with energy policy and financing, that affects the work you do every day. He has worked in a senior capacity for Senators Sasser, Edwards, Daschle, and for my predecessor, Ken Salazar.

As Senator Udall and others know, our State is home to a flagship DOE institution, the National Renewable Energy Laboratory. Jeff is well acquainted with NREL and other DOE assets all across the country. This blend of policy experience with managing Senate staffs, both in Washington and, of course, back in each Senator's home States, including my 8 Colorado offices, make him qualified to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. I urge the entire committee to support his nomination.

I want to thank you, Mr. Chairman, for having me here this morning.

I see our senior Senator from Colorado—my senior Senator is here—Mark Udall. I know Mark knows Jeff well, and will support his nomination, as well.

I'm just so delighted to be here, it's so rare to have somebody with the background and the caliber that Jeff brings to this job, and it's going to be a delight for me to work with him in his new role.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you for your strong endorsement and your statement.

Let me just ask Senator Udall if he wanted to make any statement at this point. We have not yet heard from the nominee, but we can either hear your statement now, or you could wait, whatever you'd like.

STATEMENT OF HON. MARK UDALL, U.S. SENATOR FROM COLORADO

Senator UDALL. Mr. Chairman, if I might, since Senator Bennet so powerfully made the case for Mr. Lane's confirmation, associate myself with his remarks and then add a couple of my own.

He clearly is eminently qualified to serve as liaison of the Congress. He's served multiple Senators, including 2 from Colorado, over the past 2 decades, as a top aide. He's—has a deep an understanding of energy issues, which, in particular, is important to the Department.

I enjoyed working with him, found him to be a consummate professional, Mr. Chairman. He's a straight-shooter. Believe it or not, I never found him to really have a political agenda. He always had a policy agenda, was motivated by what's right for the country.

Then, finally, this position—and I think, Mr. Chairman, you just made this case, and as did Senator Bennet—the Assistant Secretary Position should be filled as soon as possible. There is a

crowded agenda, I would acknowledge, but the Department and the Congress would be well served by his speedy confirmation.

Thank you for holding this important hearing.

Jeff, look forward to hearing your testimony.

Senator Bennet, it's always great to work with you.

Thank you.

The CHAIRMAN. All right, very good.

Senator Bennet, we'll excuse you. I know you have a busy schedule.

Let me ask Jeff Lane to please come up to the committee table, and just remain standing there, if you would.

The—under our rules in the committee, we're required, as to all nominees, to have them sworn in connection with their testimony. So, if you would please raise your right hand.

Do you solemnly swear that the testimony you're about to give to the Senate Committee on Energy and Natural Resources shall be the truth, the whole truth, and nothing but the truth?

Mr. LANE. I do.

The CHAIRMAN. Please be seated.

Before you begin your statement, I will ask 3 questions that we address to each nominee who comes before this committee.

No. 1, Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. LANE. I will.

The CHAIRMAN. Question No. 2, Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you've been nominated by the President?

Mr. LANE. Mr. Chairman, my investments, personal holdings, and other interests have been reviewed, both by myself and the appropriate ethics counselors within the Federal Government. I have taken appropriate action to avoid any conflicts of interest. There are no conflicts of interest, or appearances thereof, to my knowledge.

The CHAIRMAN. Thank you very much. Question No. 3, Are you involved, or do you have any assets that are held, in a blind trust?

Mr. LANE. No.

The CHAIRMAN. All right. Our normal practice, at this point, is to invite you to introduce any family members that are here that you wish to have recognized, and then to have you make your opening statement.

Mr. LANE. Thank you, Mr. Chairman.

I'd like to introduce my family: first my wife, Mary Beth Buchholz, a proud native of the great State of North Dakota; my younger daughter Elizabeth, who is in pre-K, and my daughter Julianne, who is in second grade.

The CHAIRMAN. We welcome all of them and—glad to have them here.

Mr. LANE. Thank you.

The CHAIRMAN. Why don't you go ahead with your opening statement.

STATEMENT OF JEFF LANE, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY, CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS, DEPARTMENT OF ENERGY

Mr. LANE. Thank you, Mr. Chairman.

Chairman Bingaman, Ranking Member Murkowski, and distinguished members of the committee, it is an honor and a privilege to appear before you today as President Obama's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. I want to thank Secretary Chu for recommending me to the President, and thank the committee for holding this hearing.

As you consider my nomination for this position, I hope you will take into account my record, my experiences, and my commitment of service to the Congress and to the mission of the Department of Energy.

I have spent most of my professional life, almost 16 years, serving in senior staff positions in the U.S. Senate. After a short time in private law practice, I began my career here working for 7 years as legislative director to my home State Senator, Jim Sasser, of Tennessee. Senator Sasser was chairman of the Senate Budget Committee and a member of the Senate Appropriations Committee, including the Subcommittee on Energy and Water. I had primary responsibility for energy and water appropriations issues for Senator Sasser, including those relating to the Oak Ridge National Laboratory and the Y–12 National Security Complex at Oak Ridge.

I also had an opportunity to work in Senate leadership as a senior aide to Senator Tom Daschle, and most recently I served as chief of staff to Colorado Senators, Ken Salazar and Michael Bennet. I want to thank Senator Bennet, very much for being here today and introducing me.

Senator Salazar was, of course, a member of this committee. I am proud to have had an opportunity to assist him with his energy agenda, including his bipartisan work with many of the members of this committee on the 2007 energy bill and his efforts to support the National Renewable Energy Laboratory in Colorado, which I know Senator Udall is a big supporter of, as well.

Our office, and Senator Udall's office and others in Colorado, worked with NREL to help establish the Colorado Renewable Energy Collaboratory, a partnership between the lab and the State's research universities.

My experiences in the Congress give me a clear understanding of the importance of the position of Assistant Secretary for Congressional and Intergovernmental Affairs. I have great respect for this institution, for its members, and for its staff. I know the value of prompt attention to your questions and concerns. I appreciate the unique issues—the need to consider the unique issues and challenges you face in each of your States. It has always been an important part of my work in the Senate to stay in close communication with State, local, and tribal officials regarding the impact of Federal policies.

If confirmed, I look forward to applying the lessons I have learned here to foster an effective working relationship between the Department, the Congress, and our intergovernmental partners.

Thank you again for the time and opportunity to appear before you today. I look forward to answering any questions you may have.

The CHAIRMAN. Thank you very much for your statement.

As I indicated in my opening statement, I strongly support your nomination, and Senator Udall, I believe, indicated the same. So, did you have questions that you wanted to pose to——

Senator UDALL. I don't, Mr. Chairman, at this time. I think Mr. Lane's——

The CHAIRMAN. OK.

Senator UDALL [continuing]. Record's self-explanatory, and, as you pointed out, we want to confirm him as quickly as possible. I know the record will be open, if I do.

[The prepared statement of Mr. Lane follows:]

PREPARED STATEMENT OF JEFF LANE, NOMINEE TO BE AN ASSISTANT SECRETARY OF ENERGY, CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS, DEPARTMENT OF ENERGY

Chairman Bingaman, Ranking Member Murkowski, and distinguished Members of the Committee, it is an honor and a privilege to appear before you today as President Obama's nominee for Assistant Secretary of Energy for Congressional and Intergovernmental Affairs. I want to thank Secretary Chu for recommending me to the President and thank the Committee for holding this hearing.

As you consider my nomination for this position, I hope you will take into account my record,my experiences and my commitment of service to the Congress and to the important mission ofthe Department of Energy.

I have spent most of my professional life-almost 16 years-serving in senior staff positions in the United States Senate. After a short time in private law practice, I began my career hereworking for seven years as legislative director to my home state senator, Jim Sasser of Tennessee. Senator Sasser was the chairman of the Senate Budget Committee and a member of the Senate Appropriations Subcommittee on Energy and Water. I had primary responsibility for energy and water appropriations issues for Senator Sasser, including those relating to the Oak Ridge National Laboratory and the Y-12 National Security Complex at Oak Ridge.

I also had an opportunity to work in Senate Leadership as a senior aide for three years to Senator Tom Daschle, and most recently I served as chief of staff to Colorado Senators Ken Salazar and Michael Bennet. Senator Salazar was, of course, a member of this committee. I am proud to have had the opportunity to assist him with his ambitious energy agenda, including his bipartisan work with many of you on the 2007 Energy Bill and his efforts to support the National Renewable Energy Laboratory. Our office also worked with NREL to help establish the Colorado Renewable Energy Collaboratory, a partnership between the lab and the state'sresearch universities.

My experiences in the Congress give me a clear understanding of the importance of the position of Assistant Secretary for Congressional and Intergovernmental Affairs. I have a great respectfor this institution, for its Members, and for its staff. I know the value of prompt attention to your questions and concerns. I appreciate the need to consider the unique issues and challengesyou face in each of your states.

If confirmed, I look forward to applying the lessons I have learned here to foster an effective working relationship between the Department, the Congress, and state, local and tribalgovernments.

Thank you again for the time and opportunity to appear before you today, and I look forward toanswering your questions.

The CHAIRMAN. That's right. We will keep the record open until 5 o'clock tomorrow to submit any additional questions. Any member who was not able to be here this morning, that wants to submit a question, may do so by then. But, we do hope we can report this nomination to the full Senate very soon and get action in the full Senate on it.

Mr. LANE. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much.

That will conclude our hearing.
[Whereupon, at 9:42 a.m., the hearing was adjourned.]

APPENDIX

Responses to Additional Questions

Responses of Jeff Lane to Questions From Senator Bingaman

STIMULUS IMPLEMENTATION

Question 1. Our committee recently held an oversight hearing to discuss the Department of Energy's implementation of last year's stimulus bill (H.R. 1). It appears that DOE's low spendout rate is at least partially the result of poor communication between the Department and state and local governments; those same entities have also written to DOE to ask for clearer guidelines in a number of areas. As Assistant Secretary for Congressional and Intergovernmental Affairs, can you explain how you would reach out to and address the concerns raised by state and local agencies, whether related to the stimulus or another issue?

Answer. I believe that communicating effectively with our state, local, and tribal partners is critically important to the success of the Department. If confirmed, I plan to actively engage individual state, local and tribal entities as well as groups such as the NGA, USCM, NASEO, NACO, the National League of Cities, and more. My goal would be to establish a dialogue with our intergovernmental partners that allows the Department to respond quickly to their questions and concerns and to share information proactively with them so that they can take full advantage of the opportunities-such asthose made available by the Recovery Act-the Department has to offer.

Question 2. I'm also curious about the Department's general strategy for keeping Congress updated about its progress in implementing the stimulus. After that legislation was signed into law, my staff and I received regular updates from DOE about its current and projected spendouts, but now, we mainly just receive press releases shortly before they're publicly distributed. Ifconfirmed as Assistant Secretary, will you commit to making sure that the members of this Committee also receive regular, in-depth updates about the status of DOE's stimulus funds?

Answer. Yes. If confirmed, I will make it a priority to provide regular updates to the Committee on the status of the Department's implementation of the Recovery Act.

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